

Appl. No. 09/627,139
Amendment and/or Response
Reply to Office action of 20 January 2004

Page 9 of 10

REMARKS / DISCUSSION OF ISSUES

Claims 1-26 are pending in the application.

The Office action rejects:

claims 1, 2, 6, 9, 10, and 14 under 35 U.S.C. 102(e) over Tuzhilin (USP 6,236,978), and

claims 1-4, 6, 9-12, and 14 under 35 U.S.C. 102(e) over Hendricks et al. (USP 6,408,437, hereinafter Hendricks).

The applicants respectfully traverse this rejection in view of amended claims 1 and 9, upon which each of the rejected claims depends.

Each of claims 1 and 9 specifically recites that the generation of two or more sets of predictions, and the combining of these predictions.

Tuzhilin and Hendricks each teach the creation of two or more sets of user profile data. However, both Tuzhilin and Hendricks also teach the merging of these two sets of user profile data to form a composite set, and this composite set is used to generate a single set of predictions. (See, for example, Tuzhilin's FIG. 2, wherein the static profile 10 and dynamic profile 15 are combined, at 25; and Hendricks' FIGs. 13a and 13b, wherein the personal profile 1202 and mood information 1206 are weight-combined to form a composite indicator, at 1218.)

Because neither Tuzhilin nor Hendricks teaches the generation of two or more sets of predictions, as specifically claimed in each of claims 1 and 9, the applicants respectfully request the Examiner's reconsideration of the rejections of claims 1, 2, 6, 9, 10, and 14 under 35 U.S.C. 102(e) over Tuzhilin, and under 35 U.S.C. 102(e) over Hendricks.

The Office action rejects claims 5, 7, 8, 13, and 15-26 under 35 U.S.C. 103(a) over Hendricks and Berg (USP 6,112,186). The applicants respectfully traverse this rejection based on the remarks above regarding Hendricks, and based on the following remarks.

Appl. No. 09/627,139
Amendment and/or Response
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Page 10 of 10

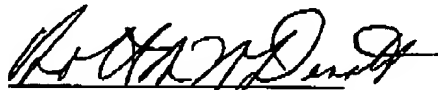
Claims 1, 9, 18, 21, and 24, upon which each of the other claims depend, specifically recite generating two sets of predictions from sets of profiles, and combining these sets of predictions.

The Office action relies upon Hendricks for teaching the generation of two sets of predictions and combining these predictions (Office action, page 9, lines 8-14). The applicants respectfully disagree with this characterization of Hendricks. The Office action references columns 36 and 37 of Hendricks for this teaching. However, columns 36 and 37 describe the flow diagrams of FIGs. 13a and 13b, wherein it is clearly indicated that the indicators 1212 and 1214 corresponding to each profile 1202 and 1206 are combined, at 1218, prior to forming predictions, at 1222, based on a match of the combined profile, from 1218, and the information 1230 associated with the received program control signal 1226.

Because Hendricks fails to teach or suggest the generation of two sets of predictions and combining these predictions, as specifically claimed in each of the applicants' claims, the applicants respectfully request the Examiner's reconsideration of the rejection of claims 5, 7, 8, 13, and 15-26 under 35 U.S.C. 103(a) over Hendricks and Berg.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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